

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAZAREO JONES,

Defendant.

Case No. 2:16-cr-00274-KJD-GWF

ORDER

This matter is before the Court on Defendant's Emergency Motion to Compel (ECF No. 28), filed on January 26, 2017. The Government filed a Response (ECF No. 31) on January 31, 2017. The Court held a hearing on February 2, 2017 regarding the continuance of the evidentiary hearing on Defendant's Motion to Suppress (ECF No. 19) wherein the Court also addressed Defendant's Motion to Compel. The Court ordered the following:

The Court orders the Probation Office to produce copies of the documents requested in Defendant's motion to compel to the Court for *in camera* review on or before **February 16, 2017**. The requested documents include: (1) the Chronological Record Entries or "Chronos" related to Defendant, (2) the Request for Search of Offender, (3) the Search Plan, and (4) the Search Team Checklist. *Motion to Compel* (ECF No. 28), pgs. 4-5. The Probation office is to submit proposed redactions to the documents as to any matters contained therein in which it claims the law enforcement privilege. The Court will review the documents prior to the resumption of the continued suppression hearing, currently scheduled for March 6, 2017, and will thereafter order the production of those portions of the documents that are relevant to the issues in the suppression hearing. In addition, the Court will redact those portions of the documents the Court finds to be privileged law enforcement tactics or techniques, unless the Court concludes that the relevance of the information outweighs the Probation Office's interest in its confidentiality.

1 If Defendant wishes to pursue the issue raised in his motion to compel—that the United
2 States Government is responsible for obtaining and providing the requested documents from the
3 Probation Office—he may do so and the Court will rule on that issue. Defendant is instructed to
4 file a reply stating that he wishes to proceed against the Government with regard to this issue no
5 later than **February 16, 2017**. If Defendant wishes to withdraw his motion as to this issue, he
6 should notify the Court by that date.

7 Accordingly,

8 **IT IS HEREBY ORDERED** that the Probation Office shall produce copies of the
9 documents requested by Defendant in his Motion to Compel (ECF No 28) to the Court for *in*
10 *camera* review on or before **February 16, 2017**. These documents include:

- 11 (1) the Chronological Record Entries or “Chronos” related to Defendant,
12 (2) the Request for Search of Offender,
13 (3) the Search Plan, and
14 (4) the Search Team Checklist

15 **IT IS FURTHER ORDERED** that Defendant shall either file a reply or a notice to
16 withdraw regarding the Government’s production obligations raised in his motion to compel no later
17 than **February 16, 2017**.

18 DATED this 9th day of February, 2017.

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21 GEORGE FOLEY, JR.
22 United States Magistrate Judge
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